

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

NETRATINGS, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 05-314-GMS
	)	
COREMETRICS, INC.,	)	
	)	
Defendant.	)	

**UNOPPOSED MOTION AND PROPOSED ORDER**

WHEREAS, the parties to this case have settled their disputes;

WHEREAS, the court has conducted a Markman hearing, but has not yet entered a claim construction order or entertained summary judgment motions;

WHEREAS, the Court on August 2, 2006 entered an order (D.I. 123) requesting further briefing from the parties on the issues presented at the claim construction hearing; and

WHEREAS, the parties settled their differences before the Court had the opportunity to consider the requested further briefing and issue its final conclusions and rulings thereon.

For the foregoing reasons, NetRatings, Inc. hereby moves the Court to enter the attached order vacating Docket Item 123 in connection with the dismissal of this case, which will be filed separately. This motion is not opposed by Defendant, Coremetrics, Inc.

YOUNG CONAWAY STARGATT  
& TAYLOR, LLP

/s/ Karen E. Keller

---

John W. Shaw (#3362)  
Karen E. Keller (#4489)  
The Brandywine Building  
1000 West Street, 17th Floor  
Wilmington, Delaware 19801  
(302) 571-6600  
kkeller@ycst.com

Attorneys for Plaintiff

OF COUNSEL:

Seth H. Ostrow  
Arianna Frankl  
Karine Louis  
DREIER LLP  
499 Park Avenue  
New York, New York 10022  
(212) 328-6100

Dated: October 27, 2006

**CERTIFICATE OF SERVICE**

I, Karen E. Keller, hereby certify that on October 27, 2006, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such document is available for viewing and downloading to the following counsel of record:

Steven J. Balick, Esquire  
John G. Day, Esquire  
Tiffany G. Lydon, Esquire  
Ashby & Geddes  
222 Delaware Avenue, 17th Floor  
Wilmington, DE 19801

I further certify that on October 27, 2006, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following non-registered participants in the manner indicated.

**BY E-MAIL**

Nitin Subhedar, Esquire  
Heller Ehrman LLP  
275 Middlefield Rd.  
Menlo Park, CA 94025

Matthew C. Lapple, Esquire  
Heller Ehrman LLP  
4350 La Jolla Village Drive, 7<sup>th</sup> Floor  
San Diego, CA 92122-1246

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Karen E. Keller

Karen E. Keller (No. 4489)

*kkeller@ycst.com*

The Brandywine Building  
1000 West Street, 17th Floor  
P.O. Box 391  
Wilmington, DE 19899  
Telephone: (302) 571-6600